

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MELVIN ANDERSON,

Petitioner,

Case Number: 07-12154

v.

HON. GEORGE CARAM STEEH

JAN E. TROMBLEY,

Respondent.

_____ /

OPINION AND ORDER

Petitioner Melvin Anderson filed a *pro se* petition for a writ of habeas corpus challenging his convictions on two counts of possession with intent to deliver between 50 and 450 grams of cocaine, two counts of possession of a firearm during the commission of a felony, and one count of felon in possession of a firearm. On February 20, 2009, the Court issued an Opinion and Order Denying the Petition for Writ of Habeas Corpus. On that same date, Petitioner filed a Motion for Evidentiary Hearing, Motion for Oral Argument, and Motion for Appointment of Counsel. Petitioner subsequently filed the following additional motions: Motion to Re-Open Petition for Writ of Habeas Corpus, Motion for Evidentiary Hearing, Motion for Evidentiary Hearing for Claim of Ineffective Assistance of Trial and Appellate Counsel, and Motion for Appointment of Counsel.

In the Motion to Re-open Petition for Writ of Habeas Corpus, Petitioner argues the proceedings should be reopened because the Court's decision denying habeas corpus relief was premature where the Court did not have an opportunity to consider the three motions filed on the same date that the petition was denied. The Court's decision denying habeas corpus relief was

based upon a careful review of the petition, Respondent's answer, and the relevant state court record. The Court finds that none of the arguments raised in Petitioner's motions warrant a different disposition of the habeas corpus petition. Therefore, the Court denies Petitioner's Motion to Re-open Petition for Writ of Habeas Corpus. The remainder of Petitioner's motions will be denied as moot.

Accordingly, **IT IS ORDERED** that Petitioner's Motion to Re-open Petition for Writ of Habeas Corpus [dkt. # 19] is **DENIED**.

IT IS FURTHER ORDERED that Petitioner's Motion for Evidentiary Hearing [dkt. #16], Motion for Oral Argument [dkt. #17], Motion for Appointment of Counsel [dkt. #18], Motion for Evidentiary Hearing [dkt. # 20], Motion for Evidentiary Hearing for Claim of Ineffective Assistance of Trial and Appellate Counsel [dkt. # 21], and Motion for Appointment of Counsel [dkt. #22] are **DENIED AS MOOT**.

Dated: May 11, 2009

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
May 11, 2009, by electronic and/or ordinary mail.

S/Josephine Chaffee
Deputy Clerk